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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

*IN RE PACIFIC FERTILITY CENTER
LITIGATION*

Master Case No. 3:18-cv-01586-JSC

**JOINT STIPULATION AND
~~PROPOSED~~ ORDER EXTENDING
DEADLINE TO COMPLETE PUNITIVE
DAMAGES DISCOVERY**

This Document Relates to All Cases

JOINT STIPULATION AND [PROPOSED] ORDER EXTENDING DEADLINE TO COMPLETE
PUNITIVE DAMAGES DISCOVERY
CASE NO. 3:18-CV-01586-JSC

1 Pursuant to Civil Local Rules 6-2, 7-3, and 7-12, Plaintiffs and Defendant Chart Inc., by
2 and through their respective counsel, respectfully submit this Stipulation and [Proposed] Order
3 extending the deadline to complete punitive damage discovery:

4 WHEREAS, Plaintiff propounded requests for production of documents and a Rule
5 30(b)(6) deposition notice following the conclusion of the first trial directed towards issues relevant
6 to Plaintiffs' claim for punitive damages (Polk Decl., ¶ 2);

7 WHEREAS, on September 23, 2021, after the submission of a joint discovery letter brief,
8 the Court entered an Order granting Plaintiffs' requests for discovery regarding: (1) Chart's officer,
9 director, and managing agent's knowledge of the TEC3000 controller failures; and (2) Chart Inc.'s
10 financial condition (Dkt. No. 949);

11 WHEREAS, on December 7, 2021, the Court ordered that punitive damages discovery
12 (which consists of requests for production and a Rule 30(b)(6) deposition) "shall be completed by
13 the end of March 2022" (Dkt. No. 1011);

14 WHEREAS, since December 7, the parties have engaged in settlement discussions (Polk
15 Decl., ¶ 5);

16 WHEREAS, the Parties conferred on February 9, 2022, and agreed, subject to Court
17 approval as follows:

- 18 (1) Chart will respond to Plaintiffs' punitive damages related requests for production
19 on March 9, 2022; and
- 20 (2) Chart will produce two Rule 30(b)(6) witnesses to testify in response to Plaintiffs'
21 punitive damages related Rule 30(b)(6) deposition notice on or before April 15,
2022 (Polk Decl., ¶ 6);

22 WHEREAS, the Parties agreed that there would be no further requested extension of
23 the punitive damages discovery deadlines (Polk Decl., ¶ 7);

1 NOW THEREFORE, the Parties through their respective counsel and subject to the
2 Court's approval hereby stipulate as follows:

- 3 (1) Chart will respond to Plaintiffs' punitive damages related requests for production
4 on March 9, 2022; and
- 5 (2) Chart will produce two Rule 30(b)(6) witnesses to testify in response to Plaintiffs'
6 punitive damages related Rule 30(b)(6) deposition notice on or before April 15,
7 2022.

8 **IT IS SO STIPULATED.**

9 Respectfully submitted,

10 Dated: February 10, 2022

By: /s/ Adam E. Polk

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21 Dated: February 10, 2022

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28 **FILER'S ATTESTATION**

29 Pursuant to Civil L.R. 5-1(i)(3), regarding signatures, I, Adam E. Polk attest that
30 concurrence in the filing of this document has been obtained.

31 By: /s/ Adam E. Polk

1 PURSUANT TO STIPULATION, IT IS SO ORDERED.
2
3

Dated: February 11, 2022


4 HON. JACQUELINE S. CORLEY
United States Magistrate Judge

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